

ADDITIONAL BACK-UP MATERIAL FOR AGENDA ITEM 11

Mountain/Desert Committee Measure I Committee

**January 19, 2007
9:00 a.m.**

Location:
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA

Discussion Item

11. FY08 Federal Appropriations Process and Project Nominations

1) Memorandum from Steve Palmer/Pat Holtz of Van Scoyoc Associates, Inc., on Discretionary Appropriations under SAFETEA-LU – FY 2008

This background information was not available at the time of the Mountain/Desert – Measure I Committee agenda mailing.

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Memorandum

TO: Jennifer Franco

FROM: Steve Palmer/Pat Holtz

DATE: January 15, 2007

SUBJECT: Discretionary Appropriations under SAFETEA-LU - FY 2008

This memo is intended to outline the discretionary accounts through which funds could be earmarked in the FY 2008 Transportation and Housing and Urban Development Appropriations bill. For each discretionary program, we have attempted to include brief information on the federal share and match requirements, the criteria for eligibility, and the amount available to be earmarked in FY 2008.

This memo focuses only on the highway programs and is divided into two sections: Those discretionary programs for which funding is available, and those discretionary grant programs for which SAFETEA-LU earmarked all available funds.

I. Programs with Available Discretionary Funds

Interstate Maintenance. In 2008, \$5.1 billion is made available for resurfacing, restoring, rehabilitating and reconstructing (4R) activities on most Interstate routes. IM funds may not be used to construct Single Occupancy Vehicle lanes and they may not be used on a facility where tolls are being collected under the Interstate System Reconstruction and Rehabilitation Pilot Program or the Interstate Construction Toll Pilot Program.

- \$100 million is set aside as discretionary and available for grants or to be earmarked. The same would be available in FY 2009.
- Federal share is 90 percent. Certain safety improvements are 100 percent federal.

Federal Lands. In 2008, \$954 million is made available for Indian Reservation Roads, Park Roads and Parkways, Refuge Roads, and Public Lands Roads. These funds are for transportation planning, research, engineering and construction of highways, roads, and parkways and transit facilities that provide access to or within public lands, national parks or Indian reservations.

The Public Lands Highway Discretionary Program accounts for 34 percent of the public lands highway fund. States submit applications annually to FHWA for consideration. “Preference is given to those projects that are significantly impacted by Federal land and resource management activities. Preference is given to projects that proposed by States that contain at least 3 percent of the total public lands in the Nation.”

- \$98.6 million is pure discretionary in FY 2008 (\$102 million in FY 2009).
- Federal share: 100 percent

Transportation, Community, and System Preservation Program. The TCSP program addresses the relationships among transportation, community, and system preservation plans and practices and identifies private-sector based initiatives to improve those relationships. Funds may be used to carry out eligible projects to integrate transportation, community, and system preservation plans and practices that:

- Improve the efficiency of the transportation system.
- Reduce the impacts of transportation on the environment.
- Reduce the need for costly future investments in public infrastructure.
- Provide efficient access to jobs, services, and centers of trade.
- Examine community development patterns and identify strategies to encourage private sector development.

Eligibility is broadly defined as a project eligible for assistance under title 23 or chapter 53 of title 49, or any other activity the Secretary determines to be appropriate to implement transit-oriented development plans, traffic calming measures, or other coordinated TCSP practices.

- \$61.25 million is pure discretionary in FY 2008 and FY 2009.
- Federal share: 80 percent.

Future Strategic Highway Research Program. This program provides for time-specific, concentrated, short-term and results oriented research program focused on solving problems in highway safety, reliability, capacity, and renewal. SAFETEA-LU specifies that projects and research, to the maximum extent practicable, are to be selected on merit basis through open solicitation. However, as with every discretionary grant program, it is possible that these funds could be earmarked.

- \$51.25 million is available for grants and potentially congressional earmarks in FY 2008 and FY 2009.
- Federal share: 100 percent.

National Scenic Byway Program. The program recognizes roads having outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities and provides for designation of these roads as National Scenic Byways, All-American Roads or America’s Byways.

- \$40 million is available in FY 2008 (and \$43.5 million in FY 2009) and is pure discretionary.
- Federal share: 80 percent.

Funds are available for:

- Activity related to the planning, design, or development of a State or Indian tribe scenic byway program;
- Development and implementation of a byway corridor management plan;
- Safety improvements to accommodate increased traffic; improvements that enhance access;
- Protection of resources adjacent to the byway;
- Development and implementation of a marketing program;
- Development and provision of tourist implementation; and
- Construction of bicycle and pedestrian facilities, interpretive facilities, overlooks and other enhancements for byway travelers.

Highways for LIFE. The purpose of the Highways for LIFE program is to accelerate the rate of adoption of innovations and technologies, thereby, improving safety and highway quality while reducing congestion caused by construction. Assistance is provided to State Transportation Agencies as an incentive to use and/or evaluate new proven innovative technologies and practices in the construction of highways. The proposed project must construct, reconstruct, or rehabilitate a route or connection on a Federal-Aid highway eligible for assistance under Chapter 1 of Title 23, United States Code and the project must use innovative technologies, manufacturing processes, or contracting methods that improve safety, reduce congestion due to construction, and improve quality.

The solicitation for FY 2007 project under this program is open until January 30, 2007. A project is eligible if it:

- Constructs, reconstructs or rehabilitates a route or connection on an eligible Federal-aid highway;
- Uses innovative technologies, manufacturing processes, financing or contracting methods that improve safety, reduce congestion due to construction, and improve quality; and
- Meets additional criteria as determined by the Secretary.

For 2005-09, at least one project in each State shall be approved for program participation, if possible. The maximum number of projects that may be approved in any fiscal year is 15.

- \$20 million is made available in FY 2008 and FY 2009 for this program.
- Federal share: 100 percent. Program funds may be applied to the non-Federal share of the cost of construction of a project under 23 USC.

Commercial Motor Vehicle Information Systems Deployment. Funds for this program may only be used for the core deployment of commercial vehicle information systems and networks. An eligible State that has either completed the core deployment of commercial vehicle information systems and networks or completed such deployment before grant funds are expended under this subsection may use the grant funds for the expanded deployment of commercial vehicle information systems and networks in the State.

To be eligible for a grant under this section, a State:

- Shall have a commercial vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of core capabilities;
- Shall certify to the Secretary that its commercial vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications (A) are consistent with the national intelligent transportation systems and commercial vehicle information systems and networks architectures and available standards; and (B) promote interoperability and efficiency to the extent practicable; and
- Shall agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial vehicle information systems and networks.
- \$25 million a year is made available for CVISN Deployment in FY 2008 and FY 2009.
- Federal share shall not exceed 50 percent. The total Federal share of the cost of a project payable from all eligible Federal sources shall not exceed 80 percent.

Truck Parking Facilities. The Truck Parking Facilities program is a pilot program that provides funding to address the shortage of long-term parking for commercial vehicles on the National Highway System.

- \$6.25 million is provided in FY 2008 and FY 2009 and is pure discretionary.
- Federal share: 80 percent. Certain safety improvements have a federal share of 100 percent.

Funds are available for projects on the National Highway System that may include the following activities:

- Constructing safety rest areas that include commercial vehicle parking;
- Constructing commercial vehicle parking facilities adjacent to commercial truck stops and travel plazas;
- Opening existing facilities to commercial vehicles;
- Promoting the availability of publicly or privately provided commercial vehicle parking on the NHS using ITS systems and other means;

- Constructing turnouts for commercial vehicles;
- Making capital improvements to public commercial vehicle parking facilities to allow year round use; and
- Improving the geometric design of interchanges to improve access to parking facilities.

II. Programs with No Available Discretionary Funds

Bridge Discretionary. In 2008, \$4.38 billion will be made available to State to improve the condition of their highway bridges through replacement, rehabilitation, and systematic preventative maintenance.

- All discretionary funds were earmarked in SAFETEA-LU.
- Federal share: 80 percent, except for bridges on the Interstate System, where the federal share is 90 percent.

National Corridor Infrastructure Improvement Program. This is a discretionary program provides \$487 million in FY 2008 for funding for construction of highway projects in corridors of national significance to promote economic growth and international trade.

- All discretionary funds were earmarked in SAFETEA-LU.
- Federal share: 80 percent. When funds are used for Interstate projects to add high occupancy lanes, the federal share may be 90 percent. Certain safety improvements have a federal share of 100 percent.

Freight Intermodal Distribution Pilot Program. This \$6 million a year grant program was created to support intermodal freight transportation initiatives at the State and local levels to relieve congestion and improve safety and to provide capital funding to address infrastructure and freight distribution needs at inland ports and intermodal freight facilities. Eligible projects shall help relieve congestion, improve transportation safety, facilitate international trade, and encourage public private partnership and may include projects for the development and construction of intermodal freight distribution and transfer facilities at inland ports.

- All funds for this program were earmarked in SAFETEA-LU.

ITS Research. SAFETEA-LU authorizes \$110 million in FY 2008 for Intelligent Transportation Systems Research. This new program is to fund a variety of activities to be carried out by DOT. The bill states that funds made available “for operational tests shall be used primarily for the development of intelligent transportation system infrastructure and to the maximum extent practicable, shall not be used for the construction of physical highway and public transportation infrastructure unless the construction is incidental and critically necessary to the implementation of an intelligent transportation system project.”

No funds were provided in the bill for ITS Deployment projects, with the exception that up to \$2 million may be awarded to up to 40 cities for a new Transportation Technology Innovation and Demonstration Program.

Real-Time System Management Information Program. This program is to provide the capability to monitor, in real-time, the traffic and travel conditions of the major highways and to share that information to improve security, address congestion, improve response to weather events and transportation incidents, and to facilitate national and regional highway traveler information.

No funds are authorized for this program. States may use their NHS, CMAQ and STP apportionments for activities related to planning and deployment of real-time monitoring elements.

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